

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

SEA STAR LINE, LLC,
a limited liability company,

Plaintiff,

-vs-

EMERALD EQUIPMENT LEASING,
INC., a corporation,

Defendant/Plaintiff
on the Counterclaim

-vs-

SEA STAR LINE, LLC

Defendant on the
Counterclaim

CIVIL ACTION

Case No. 05-CV-00245-(JJF)

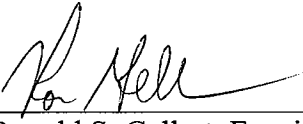
**EMERALD'S STATEMENT IN LIEU OF REPLY TO SEA STAR'S
RESPONSE TO EMERALD'S MOTION TO COMPEL
PRODUCTION OF CERTAIN DOCUMENTS**

Defendant/Counterclaimant, Emerald Equipment Leasing, Inc. ("Emerald"), by its attorneys, Eckert Seamans Cherin & Mellott, LLC, hereby provides this statement in lieu of reply to Sea Star's Response to Emerald's Motion to Compel Production of Certain Documents. Pursuant to paragraph 5 of the Rule 16 Scheduling Order entered by this Court on November 3, 2006, discovery motions are to consist of a motion and an answer to the motion filed by the responding party. Upon receipt of the answer, the movant is to notify chambers by e-mail at jjf_civil@ded.uscourts.gov that the parties have completed briefing. Paragraph 5(d) of the Scheduling Order further provides that upon receipt of the movant's e-mail, the Court will determine whether a conference is necessary and advise the parties accordingly. Emerald, as the movant in this discovery motion, submitted the

e-mail notification as provided for in the Rule 16 Scheduling Order (see Exhibit "A").

This statement is provided in lieu of a reply. Emerald respectfully requests a conference be scheduled to dispose of this motion pursuant to paragraph 5(d) of the Rule 16 Scheduling Order.

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